

If you have any questions concerning the information we request, or the procedures for submitting information to us, please contact me directly at (202) 418-0952. Thank you for your prompt attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "Thomas J. Beers". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Thomas J. Beers  
Chief, Policy Division  
Public Safety and Homeland Security Bureau  
Federal Communications Commission



IN REPLY REFER TO:

# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Pacific Regional Office  
2800 Cottage Way  
Sacramento, California 95825

APR 07 2010

James Arden Barnett, Jr., Chief  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
Washington, D.C. 20554

Dear Mr. Barnett:

We are responding to your request received on March 24, 2010 for Initial Information Collection Mandated by the New and Emerging Technologies Improvement Act of 2008. The Bureau of Indian Affairs, Pacific Region, is not an Internet Protocol enabled voice service provider, therefore, we have nothing to report.

If you have any questions, please contact John Rydzik, Chief, Division of Environmental, Cultural Resource Management and Safety (DECRMS) at (916) 978-6051.

Sincerely,

Acting Regional Director



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Rocky Mountain Regional Office  
316 North 26<sup>th</sup> Street  
Billings, Montana 59101



IN REPLY REFER TO: Indian Services, Code 360

MAR 29 2010

James Arden Barnett, Jr., Chief,  
Public Safety and Homeland Security Bureau  
Federal Communication Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Mr. Barnett:

This letter is in response to your request regarding "Information Collection Mandated by the New and Emerging Technologies Improvement Act of 2008." We forwarded your correspondence to the local Bureau of Indian Affairs Agencies on the reservations and they in turn discussed your request for information with the Tribes. Enclosed is a response from the Blackfeet Nation regarding your request.

It is our understanding the Law Enforcement Division of the Bureau of Indian Affairs, may have additional information. A copy of your correspondence was forwarded to:

Elizabeth Hall, Special Agent-in-Charge  
Bureau of Indian Affairs, Office of Justice Services  
490 N 31<sup>st</sup> Street, Transwestern II, Suite 206  
Billings, Montana 59101  
(406) 657-5936

If you have any questions, please contact Jo-Ellen Cree, Indian Services Specialist, at (406) 247-7964.

Sincerely,

Regional Director

Enclosure

cc: Elizabeth Hall, BIA/OJS w/cys. of corres



# BLACKFEET NATION

P.O. BOX 850 BROWNING, MONTANA 59417  
Telephone (406) 338-7521 Fax (406) 338-7530

EXECUTIVE COMMITTEE  
WILLIE A. SHARP, JR. - CHAIRMAN  
PETER D. TATSEY - VICE CHAIRMAN  
T.J. SHOW - SECRETARY  
KENNETH AUGARE - TREASURER

BLACKFEET TRIBAL BUSINESS COUNCIL  
WILLIE A. SHARP, JR.  
PETER D. TATSEY  
T. J. SHOW  
PAUL McEVERS  
RONALD "SMILEY" KITTISON  
RODNEY "FISH" GERVAIS  
ROGER "SASSY" RUNNING CRANE  
REIS FISHER  
HENRY BUTTEFLY

March 18, 2010

Edward F. Parisian  
Regional Director  
BIA, rocky Mountain Regional Office  
U.S. Department of the Interior  
316 North 26<sup>th</sup>. Street  
Billings, MT 59101

Re: The Blackfeet Tribe and the New and Emerging Technologies Improvement Act of 2008

Dear Mr. Parisian:

This is the response of the Blackfeet Tribe of Montana to the questions asked by the Federal Communications Commission in a letter to you received March 8, 2010. As concerns the New and Emerging Technologies Improvement Act of 2008, please be advised that the Blackfeet Tribe comes under this act. The Blackfeet Tribe is a federally recognized Indian Tribe with a Constitution and Bylaws enacted December 13, 1935 pursuant to the Indian Reorganization Act.

The Blackfeet Tribal Business Council, as the governing body of the Blackfeet Tribe, receives quarterly dividends through telephone shares from the State of Montana on a quarterly basis. The quarterly dividends are directly deposited to the Tribe. The Coordinator for the Tribe develops a budget for activities for the Tribal 911 emergency services. There are three budgets established under the Blackfeet Tribal Finance system - Basic 911, Enhanced 911 and Wireless 911.

The Blackfeet Tribe recognizes the State's Fiscal Year from July 01, through June 30 and balances all three budgets with State and Tribal auditors each year. The State of Montana has established criteria guidelines and the budget amounts were established by a written grant application and supported by a Tribal Resolution from the Blackfeet Tribal Business Council for each project. The adoption of this Tribal Resolution resulted in the State of Montana, through its Public Safety Division, releasing dividends to the Blackfeet Tribe.

Letter to Ed Parisian

March 18, 2010 - 2

The State of Montana Public Safety Division is the contact agency and oversees distribution and allocation of grant and grant funds. Federal criteria has been established and is implemented through the aforementioned state agency. Any modifications to the grant are also approved through this agency.

The Blackfeet Tribe has deployed its capability through purchases of elite equipment. The deployment project included dedicated 911 telephone circuits and selective routing of all telephone exchanges within the Blackfeet Tribal jurisdiction and is ninety percent (90%) complete with a seventy-five percent (75%) completion rate of assigned physical addresses. The Blackfeet 911 funding also assisted with partial renovation of a designated site within the Department of Public Safety Building known as the White Buffalo Home which now houses the Blackfeet dispatchers and equipment.

At this time, the only funding appropriated to the Tribe is through the State of Montana Public Safety Division. The ending cash balance from these programs as of October 15, 2009 was \$259,615.70.

Additional needs for this system are training money for Telecommunication Basic School for dispatchers, and Emergency Medical Dispatch Training. If you have any further questions, please do not hesitate to contact Ms. Nora Kennedy the 911 Coordinator for the Blackfeet Tribe at (406) 338-4326 or write to her at P.O. Box 470, Browning, Montana 59417.

Sincerely yours,



Willie A. Sharp, Jr., Chairman  
Blackfeet Tribal Business Council

cc: Nora Kennedy, Blackfeet 911 Coordinator  
T.J. Show, Secretary, BTBC  
Peter Tatsey, Vice-Chairman, BTBC

## Cree, Jo-Ellen

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**From:** Wagner, Edward  
**Sent:** Thursday, March 18, 2010 4:38 PM  
**To:** Cree, Jo-Ellen  
**Cc:** Pollock, Stephen; Parisian, Edward; Blue, Mary; Weatherwax, Holi  
**Attachments:** scan0001.pdf

Jo-Ellen

Attached is the 911 and E911 information we were able to gather from the Blackfeet Tribe. I hope this is what you were looking for.

## Cree, Jo-Ellen

---

**From:** Wagner, Edward  
**Sent:** Thursday, March 18, 2010 4:38 PM  
**To:** Cree, Jo-Ellen  
**Cc:** Pollock, Stephen; Parisian, Edward; Blue, Mary; Weatherwax, Holi  
**Attachments:** scan0001.pdf

Jo-Ellen

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**Cree, Jo-Ellen**

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**From:** Cree, Jo-Ellen  
**Sent:** Thursday, March 11, 2010 4:27 PM  
**To:** Bends, Christian; Crowe, Thedis; Fox, Katherine; Gourneau, Norma; Gray, Judith; Hall, Clifford; Hopkins, Vicky; LoneFight, Edward; Merchant, Frank; Montes, James; Nation, Ramon; Ouray, Harold; Perez, Kathleen; Pollock, Stephen; Scott, Debbie; Stafne, Grant; Wagner, Edward; White Eagle, Florence  
**Cc:** Jackson, Gordon; Reyes, Louise  
**Subject:** 911 - Information  
**Attachments:** New & Emerging Technologies 911.pdf



We received the attached correspondence and are requesting your assistance. Could you please share this with your tribe(s) and get a response back to us for the Regional Director to reply.

We would like this information by Friday, March 19, so that we can meet the March 23 due date.

A copy was provided to Law Enforcement.

Jo-Ellen Cree, Housing Program Specialist

Bureau of Indian Affairs  
Rocky Mountain Region  
316 N 26th Street  
Billings, MT 59101  
406/247-7964  
fax 406/247-7566  
cell 406/690-8292

## Cree, Jo-Ellen

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**To:** Bends, Christian; Crowe, Thedis; Fox, Katherine; Gourneau, Norma; Gray, Judith; Hall, Clifford; Hopkins, Vicky; LoneFight, Edward; Merchant, Frank; Montes, James; Nation, Ramon; Ouray, Harold; Perez, Kathleen; Pollock, Stephen; Scott, Debbie; Stafne, Grant; Wagner, Edward; White Eagle, Florence  
**Cc:** Jackson, Gordon; Reyes, Louise  
**Subject:** 911 - Information  
**Attachments:** New & Emerging Technologies 911.pdf



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A copy was provided to Law Enforcement.

Jo-Ellen Cree, Housing Program Specialist

Bureau of Indian Affairs  
Rocky Mountain Region  
316 N 26th Street  
Billings, MT 59101  
406/247-7964  
fax 406/247-7566  
cell 406/690-8292

## Cree, Jo-Ellen

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**From:** Cree, Jo-Ellen  
**Sent:** Thursday, March 11, 2010 3:30 PM  
**To:** Hall, Elizabeth  
**Subject:** Incoming Correspondence - 911 Improvement Act of 2008  
**Attachments:** New & Emerging Technologies 911.pdf



Elizabeth, we received the attached correspondence. Would this be something that Law Enforcement should be included too?

I will email it to the Superintendents and Administrative Officer in the Rocky Mountain Region.

Thanks

Jo-Ellen Cree, Housing Program Specialist

Bureau of Indian Affairs  
Rocky Mountain Region  
316 N 26th Street  
Billings, MT 59101  
406/247-7964  
fax 406/247-7566  
cell 406/690-8292



Federal Communications Commission  
Washington, D.C. 20554

*Route - Lewis  
2/20/10  
Need to send  
to Tribes  
as early as  
they can  
only*

Approved by OMB  
3060-IT22  
Expires: January 31, 2012  
Estimated time per response: 10-50 hours

RECEIVED  
MAR 10 2010

*EP | 3-8-10  
Gordon | 3/8  
Need to get  
this completed by  
due date.*

RECEIVED  
MAR - 8 2010  
BUREAU OF INDIAN AFFAIRS  
ROCKY MOUNTAIN REGIONAL OFFICE

Edward F. Parisian  
Regional Director  
BIA, Rocky Mountain Regional Office  
U.S. Department of Interior  
316 North 26th Street  
Billings, MT 59101

Re: Initial Information Collection Mandated By the New and Emerging Technologies Improvement Act of 2008; Response Due No Later than March 23, 2010

Dear Director Parisian:

The New and Emerging Technologies 911 Improvement Act of 2008 (NET 911 Act) became law on July 23, 2008, requiring Internet Protocol (IP) enabled voice service providers to provide 911 and enhanced 911 (E911) services, and requiring various regulatory undertakings by the Federal Communications Commission.<sup>1</sup> Section 6(f)(2) of the NET 911 Act requires the Commission to report to Congress annually regarding the collection and expenditure of fees or charges established by the states or other jurisdictions in connection with 911/E911 services. The Commission must therefore obtain information "detailing the status in each State of the collection and distribution of such fees or charges, and including findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any such fees or charges are specified."<sup>2</sup>

On January 26, 2009, the Commission received authorization from the Office of Management Budget to implement a data collection program for this purpose.<sup>3</sup> Pursuant to that authorization, the FCC's Public Safety and Homeland Security Bureau

<sup>1</sup> New and Emerging Technologies 911 Improvement Act of 2008, Pub. L. No. 110-283, 122 Stat. 2620 (2008)(NET 911 Act).

<sup>2</sup> *Id.* at §6(f)(2). Section 6(f)(1) of the NET 911 Act affirms the ability of "[a] State, political subdivision thereof, Indian tribe, or village or regional corporation serving a region established pursuant to the Alaska Native Claims Settlement Act, as amended ..." to collect fees or charges "[applicable] to commercial mobile services or IP-enabled voice services ... for the support or implementation of 9-1-1 or enhanced 9-1-1 services, provided that the fee or charge is obligated or expended only in support of 9-1-1 and enhanced 9-1-1 services, or enhancements of such services, as specified in the provision of State or local law adopting the fee or charge. For each class of subscribers to IP-enabled voice services, the fee or charge may not exceed the amount of any such fee or charge applicable to the same class of subscribers to telecommunications services." NET 911 Act at §6(f)(1).

<sup>3</sup> Letter from Kevin F. Neyland, Deputy Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, OMB Control Number 200812-3060-008 (Jan 26, 2009).

6(f)(2) of the NET 911 Act:

1. A statement as to whether or not your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, has established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (including a citation to the legal authority for such mechanism). ✓  
Tribes?
2. The amount of the fees or charges imposed for the implementation and support of 911 and E911 services, and the total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2009. A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria.
3. A statement identifying any entity in your State that has the authority to approve the expenditure of funds collected for 911 or E911 purposes, and a description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism, or otherwise used to implement or support 911 or E911.
4. A statement whether all the funds collected for 911 or E911 purposes have been made available or used for the purposes designated by the funding mechanism, or otherwise used for the implementation or support of 911 or E911.
5. A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support, including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.
6. Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

Consistent with Section 6(f) of the NET 911 Act, the Commission requests that you report the information identified in this Public Notice with respect to fees and charges collected in connection with the implementation and support of 911 or E911 services within your state, including any political subdivision thereof, Indian tribe and/or village and regional corporation serving any region established pursuant to the Alaska

Native Claims Settlement Act that otherwise lie within their state boundaries.<sup>4</sup> In addition, consistent with the definition of "State" set out in 47 U.S.C. 153(40), the Commission will collect this information from states as well as the District of Columbia, and the inhabited U.S. Territories and Possessions.

The information hereby collected will be reviewed by the Public Safety and Homeland Security Bureau. Pursuant to Section 6(f)(2) of the NET 911 Act, the Commission is required to file "within 1 year after the date of enactment of the [NET 911 Act], and annually thereafter" a report with the Congress "detailing the status in each State of the collection and distribution of such fees or charges, and including findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any such fees or charges are specified."<sup>5</sup>

As described in the attached FCC Public Notice, information submitted pursuant to this information collection should be submitted in a NET 911 electronic drop box located at <https://esupport.fcc.gov/actonline>, and should be submitted no later than **March 23, 2010**. Filed information must include verification and signature by an official identified in the filing. The information filing should be submitted on an official (letterhead) document of the signatory's agency which is then uploaded to the electronic drop box by attaching an electronic copy of the document and hitting "send." Filers may also fax or mail a copy of the signed document to the Secretary of the FCC as specified in the FCC's Public Notice, DA 10-240, released on February 5, 2010, and should reference **PS Docket No. 09-14**.

Thank you for your cooperation with this important undertaking. Should you have any questions, please contact Mr. Thomas J. Beers of my staff at (202) 418-0952 or [tom.beers@fcc.gov](mailto:tom.beers@fcc.gov).

Sincerely,



James Arden Barnett, Jr.  
Rear Admiral (Ret.)  
Chief, Public Safety and Homeland Security Bureau

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<sup>4</sup> See NET 911 Act, Section 6(f)(1).

<sup>5</sup> *Id.* Section 6(f)(2) specifically directs the Commission to file its reports with the Committee on Commerce, Science and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Fax-On-Demand 202 / 418-2830  
TTY 202 / 418-2555  
Internet: <http://www.fcc.gov>  
<ftp.fcc.gov>

DA 10-240  
February 5, 2010  
OMB Control Number 3060-1122

## INFORMATION COLLECTION MANDATED BY THE NEW AND EMERGING TECHNOLOGIES IMPROVEMENT ACT OF 2008

OMB Control Number 3060-1122

The New and Emerging Technologies 911 Improvement Act of 2008 (NET 911 Act) became law on July 23, 2008, requiring Internet Protocol (IP) enabled voice service providers to provide 911 and enhanced 911 (E911) services, and requiring various regulatory undertakings by the Federal Communications Commission.<sup>1</sup> Pursuant to Section 101 of the NET 911 Act, the Commission must collect information regarding any fees collected by the states or other jurisdictions in connection with 911/E911 services, specifically, information “detailing the status in each State of the collection and distribution of such fees or charges, and including findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any such fees or charges are specified.”<sup>2</sup> Section 101 of the NET 911 Act further requires the Commission to file “within 1 year after the date of enactment of the [NET 911 Act], and annually thereafter” a report with the Congress “detailing the status in each State of the collection and distribution of such fees or charges, and including findings on the amount of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any such fees or charges are specified.”<sup>3</sup>

On July 22, 2009, the Commission submitted to Congress its first annual “Report to Congress On

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<sup>1</sup> New and Emerging Technologies 911 Improvement Act of 2008, Pub. L. No. 110-283, 122 Stat. 2620 (2008) (NET 911 Act).

<sup>2</sup> *Id.* at §101. Section 101(1) of the NET 911 Act affirms the ability of “[a] State, political subdivision thereof, Indian tribe, or village or regional corporation serving a region established pursuant to the Alaska Native Claims Settlement Act, as amended ...” to collect fees or charges “[applicable] to commercial mobile services or IP-enabled voice services ... for the support or implementation of 9-1-1 or enhanced 9-1-1 services, provided that the fee or charge is obligated or expended only in support of 9-1-1 and enhanced 9-1-1 services, or enhancements of such services, as specified in the provision of State or local law adopting the fee or charge. For each class of subscribers to IP-enabled voice services, the fee or charge may not exceed the amount of any such fee or charge applicable to the same class of subscribers to telecommunications services.” NET 911 Act at §101(2).

<sup>3</sup> *Id.* Section 6(f)(2) specifically directs the Commission to file its reports with the Committee on Commerce, Science and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

State Collection and Distribution of 911 and Enhanced 911 Fees and Charges.”<sup>4</sup> Pursuant to OMB authorization,<sup>5</sup> the Public Safety and Homeland Security Bureau seeks the following specific information in order to prepare the next annual report and fulfill its continuing obligations under Section 101 of the NET 911 Act:

- A statement as to whether or not the state or other entity as defined by Section 6(f)(1) of the NET 911 Act has established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (including a citation to the legal authority for such mechanism).
- The amount of the fees or charges imposed for the implementation and support of 911 and E911 services, and the total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2009.
- A statement describing how the funds collected are made available to localities, and whether the state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria.
- A statement identifying any entity in the state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes, and a description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism, or otherwise used to implement or support 911 or E911.
- A statement whether all the funds collected for 911 or E911 purposes have been made available or used for the purposes designated by the funding mechanism, or otherwise used for the implementation or support of 911 or E911.
- A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support, including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.
- Any other comments the respondent may wish to provide regarding the applicable funding mechanism for 911 and E911.

Letters seeking the information described here will be mailed to the Office of the Governor of each state and territory, and Tribal Government of each Native American Reservation. Copies also will be sent to the Secretary of State, Public Utility Commission Chairman, and 911 Director of each state and

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<sup>4</sup> Federal Communications Commission, “Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges” (July 22, 2009).

<sup>5</sup> On January 26, 2009, the Commission received authorization from the Office of Management Budget to implement a data collection program to implement the NET 911 Act requirements. Letter from Kevin F. Neyland, Deputy Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, OMB Control Number 200812-3060-008 (Jan 26, 2009).

equivalent offices in the territories and reservations.

Consistent with Section 101 of the NET 911 Act, the Commission requests that state officials report the information identified in this Public Notice with respect to fees and charges collected in connection with the implementation and support of 911 or E911 services within their state, including any political subdivision thereof, Indian tribe and/or village and regional corporation serving any region established pursuant to the Alaska Native Claims Settlement Act that otherwise lie within their state boundaries.<sup>6</sup> In addition, consistent with the definition of "State" set out in 47 U.S.C. 153(40), the Commission will collect this information from states as well as the District of Columbia, and the inhabited U.S. Territories and Possessions.

Information submitted pursuant to this information collection should be submitted in the NET 911 electronic drop box located at <https://esupport.fcc.gov/actonline>, and should be submitted no later than March 23, 2010. Filed information must include verification and signature by an official identified in the filing. The information filing should be submitted on an official (letterhead) document of the signatory's agency which is then uploaded to the electronic drop box by attaching an electronic copy of the document and hitting "send."

Filers may also fax or mail a copy of the signed document to the Commission's Secretary, and should reference OMB Control Number 3060-1122.

§ Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing.

§ Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to: Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

§ Effective December 28, 2009, all hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Washington, D.C. 20554. Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com). The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. **PLEASE NOTE:** The Commission's former filing location at 236 Massachusetts Avenue, NE is permanently closed.

§ Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, M.D. 20743.

§ U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.

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<sup>6</sup> See NET 911 Act, Section 6(f)(1).

§ Fax Filers: Filings may be faxed to (202) 418-2824.

§ People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

### FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. § 3507), the FCC is notifying the public that it received OMB approval on January 26, 2009, for the collection of information described in this Public Notice. Public reporting burden for this collection of information is estimated to be ten to fifty hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This collection of information is for the purpose of assisting the Commission in carrying out provisions of the NET 911 Act. This collection is mandatory under the New and Emerging Technologies 911 Improvement Act of 2008, Pub. L. No. 110-283, 122 Stat. 2620 (2008). Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing the burden to Federal Communications Commission, AMD-PERM, Washington, DC 20554, Paperwork Reduction Project (3060-1122), or via the Internet to [PRA@fcc.gov](mailto:PRA@fcc.gov). **DO NOT SEND ELECTION LETTERS TO THIS ADDRESS.**

Under 5 CFR § 1320, an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a currently valid OMB Control Number. **This collection has been assigned OMB Control Number 3060-1122 and its expiration date is January 31, 2012.**

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. 3507.**

-- FCC --



IN REPLY REFER TO:  
BRANCH OF SAFETY

# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Southern Plains Regional Office  
P. O. Box 368  
Anadarko, Oklahoma 73005



MAR 17 2010

Office of the Secretary  
Federal Communication Commission  
Attention: Ms. Marlene H. Dortch  
445 12 th Street, SW  
Washington, D.C. 20554

RE: OMB Control Number 3060-1122

Dear Ms. Dortch:

We are in receipt of correspondence regarding the Initial Information Collection mandated by the New and Emerging Technologies 911 Improvement Act of 2008. The Act is requiring the Commission to report to Congress annually the collection and expenditure of fees or charges established by states or other jurisdictions in connection with 911/E911 services.

The Department of the Interior, Bureau of Indian Affairs, Southern Plains Region, after reviewing the information requested is hereby reporting this office has not implemented or has no plans to establish any type of mechanism for the installation of a 911/E911 service within this region. This regional office has neither the authority or the capability to provide and implement such services with it s jurisdictional area.

If you require further information regarding our negative report to this inquiry, you may call this office. The telephone number is 405-247-6673.

Sincerely,

Acting Regional Director



## United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
WESTERN REGIONAL OFFICE  
2600 North Central Avenue  
Phoenix, Arizona 85004



IN REPLY REFER TO:

Office of the Regional Director

APR 22 2010

Thomas J. Beers, Chief, Policy Division  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Mr. Beers:

In response to your inquiry regarding the Initial Information Collection Mandated by the New and Emerging Technologies Improvement Act of 2008, this Region hereby reports a negative response. If you have any questions, please contact Debrah McBride, acting Regional Director, at (602) 379-6600.

Sincerely,

**ACTING** Regional Director



## OFFICE OF THE STATE CHIEF INFORMATION OFFICER

Teri Takai  
California Chief Information Officer

April 6, 2010

James Arden Barnett, Jr., Chief  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Dear Chief Barnett:

RE: OMB Control Number 3060-1122

This is in response to the Federal Communications Commission "Public Notice OMB Control Number 3060-1122" dated February 5, 2010, regarding the New and Emerging Technologies 911 Improvement Act of 2008 (NET 911 Act). California public officials take emergency services very seriously, and we wholeheartedly support efforts to enhance and modernize the delivery of these services to California citizens.

In accordance with Section 6(f)(2) of the NET 911 Act, I am pleased to provide the following answers to your request for status of the collection and distribution of 911/E911 fees in California.

- 1) A statement as to whether or not the state or other entity as defined by Section 6(f)(1) of the NET 911 Act has established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (including a citation to the legal authority for such mechanism).

The State of California has established a funding mechanism designated for the purpose of 911 implementation and ongoing system maintenance. California Revenue and Taxation Code Sections 41001 et seq., known as the Emergency Telephone Users Surcharge Act, provides the statutory authority and description of how funds are collected and distributed in support of 911.

- 2) The amount of the fees or charges imposed for the implementation and support of 911 and E911 services, and the total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2009.

At present, the 911 surcharge rate is set at one-half of one percent (0.5%) and is imposed on amounts paid by every person in the state based on intrastate telephone communication service. Fees collected for the annual period ending December 31, 2009, were \$101,450,093.46.

- 3) A statement describing how the funds collected are made available to localities, and whether the state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria.

Funds collected are distributed to 911 Public Safety Answering Points (PSAPs) based on a five-year equipment replacement cycle. PSAPs can opt to replace sooner if they desire, based on a formula designed to measure 911 call answering effort and associated funding need. In accordance with existing 911 guidelines, funding includes all equipment and systems used within the 911 call taker work area. This equipment includes, but is not limited to, 911 call taker telephony computers, controllers, servers, cabling, and/or ancillary systems, services, and products associated with the delivery of a 911 call. California Revenue and Taxation Code Section 41136 et seq. provides the authority for such expenditures.

- 4) A statement identifying any entity in the state that has the authority to approve the expenditure of funds collected for 911 or E911 purposes, and a description of any oversight procedures established to determine that collected funds have been made available to be used for the purposes designated by the funding mechanism, or otherwise used to implement or support 911 or E911.

In accordance with California Revenue and Taxation Code Section 41137, "The Office of the State Chief Information Officer shall pay, from funds appropriated from the State Emergency Telephone Number Account (SETNA) by the Legislature, as provided in Section 41138, bills submitted by service suppliers or communications equipment companies for the installation and ongoing costs of the following communication services provided local agencies by service suppliers in connection with the "911" emergency telephone number system..."

The Public Safety Communications Division, Office of the State Chief Information Officer (PSCD/OCIO) is responsible for the authorization of expenditures from the State Emergency Telephone Number Account. With regard to oversight procedures, a periodic Fiscal and Operational Review (FOR) is conducted at each 911-funded call answering center to verify that funds have been appropriately expended for 911 approved equipment and services (California Government Code Sections 53115(e)). In addition to complying routinely with generally accepted accounting principles and procedures, PSCD/OCIO has been audited by the Bureau of State Audits. The California 911 Advisory Board also provides oversight with regard to 911 funding, policies, and standards, among other matters (California Government Code Sections 53115.1 and 53115.2).

- 5) A statement whether all the funds collected for 911 or E911 purposes have been made available or used for the purposes designated by the funding mechanism, or otherwise used for the implementation or support of 911 or E911.

All funds since the enactment of the NET 911 Act have been used exclusively for the purposes designated by the funding mechanism in support of E911 with the exception of funds appropriated by the California Department of Forestry and Fire Protection (CAL FIRE).

- 6) A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support, including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.

The CAL FIRE appropriated \$2,393,000 from the SETNA in fiscal year (FY) 2008-09 to purchase and install new hardware and Computer Aided Dispatch (CAD) software at CAL FIRE's Emergency Command Centers. In addition redundant hardware and a CAD system were purchased and installed at their Fire Academy, which is used for training. Ongoing vendor maintenance and CAD system support is accomplished through funds appropriated from the SETNA. Planned expenditures are \$3,341,000 in FY 2009-10 and \$2,995,000 in FY 2010-11. While CAL FIRE's use of the SETNA did not follow established procedures for 911 related expenditures, the equipment purchased is for use at emergency dispatch centers in response to 911 call activity.

- 7) Any other comments the respondent may wish to provide regarding the applicable funding mechanism for 911 and E911.

Information contained in this response represents data gathered and available at the state government level. No representation is made as to whether local government entities have 911 ordinances or whether they collect and disburse local fees for 911 or related functions. Likewise, no representation is made here as to the appropriateness of any such fee administered by local government entities.

Since 1976 when the enabling legislation was enacted, enormous changes have occurred in California relative to 911 equipment functionality and service delivery. Technology advances have opened up opportunities, the likes of which were unimaginable 30 years ago (e.g., wireless, VoIP, telematics, video relay service, prepaid wireless services, etc.). Throughout this recent metamorphosis in the 911 industry, revenue models and funding mechanisms have remained relatively static. It is in everyone's best interest, not only at the state level, but at a regional and perhaps national level, to explore one or more alternative funding models that work in a virtual telecommunications environment; an environment where state borders no longer can be used exclusively as the test of whether service providers or users are subject to 911 fees imposed by a state or other political subdivision. The various national 911 industry organizations are well-suited to collaborate on such a comprehensive discussion.

Thank you for the opportunity to respond to the FCC, OMB Control Number 3060-1122. If you require additional information, please feel free to contact Karen Wong, Deputy Director, Public Safety Communications Division, Office of the State Chief Information Officer at (916) 657-9482.

Sincerely,



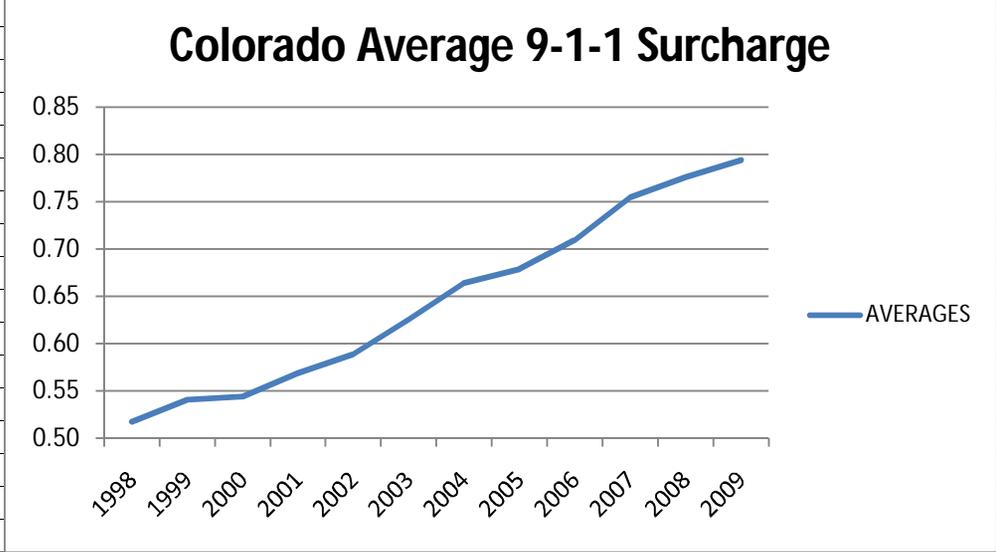
TERI TAKAI  
California State Chief Information Officer

**Colorado 9-1-1 Resource Center**

<b>COLORADO 911 SURCHARGE FEES AS OF:</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<b>E9-1-1 AUTHORITY (MOSTLY BY COUNTY)</b>	<b>FEE</b>											
	<b>\$</b>											
ADAMS	0.35	0.35	0.35	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
ARAPAHOE	0.28	0.28	0.28	0.28	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43
ARCHULETA	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
ASPEN / PITKIN	0.50	0.50	0.50	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
AURORA - CITY OF	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
BACA	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
BENT / KIOWA	0.35	0.50	0.50	0.50	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
BOULDER	0.70	0.70	0.70	0.70	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
CHAFFEE	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	1.00	1.00	1.00
CHEYENNE	0.70	0.00	0.00	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
CLEAR CREEK	0.00	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	1.25	1.25	1.25
CROWLEY	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
CUSTER	0.70	0.30	0.30	0.30	0.70	0.70	0.70	0.70	0.70	0.70	1.25	1.25
DELTA	0.30	0.45	0.45	0.45	0.30	0.60	0.60	0.60	0.60	0.60	0.60	0.60
DENVER	0.47	0.70	0.70	0.70	0.49	0.43	0.40	0.66	0.70	0.70	0.70	0.70
DOLORES (HAS NO AUTHORITY BOARD)	0.70	0.55	0.55	0.55	0.70	0.70	0.70	0.70	0.50	0.50	0.50	0.50
DOUGLAS	0.55	0.50	0.50	0.50	0.55	0.55	0.70	0.70	0.70	0.70	0.70	0.70
EAGLE	0.50	0.50	0.50	0.50	0.70	0.70	0.70	0.70	1.25	1.25	1.25	1.25
ELBERT	0.50	0.50	0.50	0.50	0.50	0.50	0.70	0.70	0.70	0.70	0.70	0.70
EL PASO / TELLER	0.50	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
FREMONT	0.70	1.00	1.00	1.00	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
GARFIELD	0.50	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
GILPIN	0.70	0.70	0.70	0.70	1.00	1.00	1.00	0.70	0.70	0.70	0.70	0.70
GRAND	0.50	0.70	0.70	0.70	0.70	0.70	1.00	1.00	1.00	1.00	1.50	1.50
GRAND JUNCTION	0.70	0.28	0.28	0.28	0.70	1.00	0.70	0.70	0.70	0.70	0.70	0.70
GUNNISON/HINSDALE	0.28	0.70	0.70	0.70	0.70	0.70	1.00	1.00	1.00	1.00	1.00	1.00
HUERFANO	0.00	0.70	0.70	0.70	0.43	0.45	0.45	0.45	0.70	0.70	0.70	0.70
JACKSON	0.70	0.60	0.60	0.60	0.70	0.70	0.70	0.70	0.70	0.70	0.70	0.70
JEFFERSON	0.60	0.45	0.45	0.45	0.70	0.70	0.52	0.52	0.52	0.52	0.52	0.52
KIT CARSON	0.45	0.70	0.70	0.70	0.60	0.60	0.70	0.70	0.70	0.70	0.70	0.70
LAKE	0.70	0.70	0.70	0.70	0.45	0.45	0.60	0.60	0.60	0.70	0.70	0.70
LA PLATA	0.70	0.70	0.70	0.70	0.70	1.25	0.70	0.70	0.70	0.70	0.70	0.70
LARIMER	0.70	0.50	0.50	0.50	0.70	0.70	0.45	0.45	0.45	0.45	0.45	0.45
LAS ANIMAS	0.50	0.50	0.50	0.50	0.70	0.70	1.25	1.25	1.25	1.25	1.25	1.25



<b>COLORADO 911 SURCHARGE FEES AS OF:</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<b>E9-1-1 AUTHORITY</b>	<b>FEE</b>											
(MOSTLY BY COUNTY)	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$



# Colorado 9-1-1 Resource Center

(866) 332-3082 ♦ fax: 970-744-2254 ♦ director@co9-1-1resourcecenter.org



March 23, 2010

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**Purpose:** The purpose of this document is to provide information requested by the Federal Communications Commission (the FCC) as required by the NET 911 Act of 2008. The purpose of that request, per the letter, is to fulfill the Commission's obligations under section 6(f)(2) of the NET 911 Act.

**Preparation:** This report was prepared by the Colorado 9-1-1 Resource Center at the request of the Colorado Public Utilities Commission and the Governor's Office. Contact information for the Colorado 9-1-1 Resource Center is found in the letterhead of this document.

**Response:**

1. *A statement as to whether or not your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, has established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (including a citation to the legal authority for such mechanism).*

Yes. Colorado has an established funding mechanism pursuant to C.R.S. 29-11 Part I which authorizes local governing bodies to impose a charge to support 911 services. Specifically the following statutory language allows for such charge:

C.R.S. 29-11-102 (1) (a) – In addition to any other posers for the protection of the public health, a governing body may incur any equipment, installation, and other directly related costs for the continued operation of an emergency telephone service as further described in section 29-11-2104, and may pay such costs by imposing an emergency telephone charge for such service in those portions of the governing body's jurisdiction for which emergency telephone service will be provided.

C.R.S. 29-11-102 (2) (a) – The governing body is hereby authorized, by ordinance in the case of cities and by resolution in the case of counties or special districts, to impose such charge in an amount not to exceed seventy cents per month per exchange access facility, per wireless communications access, and per interconnected voice-over-internet-protocol service in those portions of the governing body's jurisdiction for which emergency telephone service will be provided.

2. *The amount of the fees or charges imposed for the implementation and support of 911 and E911 services, and the total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2009. A statement describing how the funds collected are made available to the localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria.*

Amount of Surcharge:

# Colorado 9-1-1 Resource Center

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C.R.S. 29-11-102 authorizes by ordinance or resolution as applicable, cities, counties, or special districts to impose a surcharge of up to 70¢ per month on each of these services in those portions of the governing bodies jurisdiction in which emergency services are provided. If a governing body believes an amount greater than 70¢ is necessary, they are required to obtain approval from the Colorado Public Utilities Commission. A document detailing the surcharges currently imposed by each local 9-1-1 governing body is attached.

Amount Collected for Period Ending 12-31-2009:

The estimated total of surcharge funds collected by all local 9-1-1 Authorities is \$45,000,000. This estimate is derived from revenues reported by 9-1-1 Authorities for 2008 in their annual budgets as submitted to the Colorado Department of Local Affairs, Division of Local Government.

Fund Availability and Use Criteria:

Funds are collected by the telephone service provider, as outlined in C.R.S. 29-11-102 (7) and C.R.S. remitted directly to the appropriate local governing authority. Criteria for the expenditure of funds are defined in C.R.S. 29-11-104 (2a) (I) (A)-(E).

3. *A statement identifying any entity in your State that has the authority to approve the expenditure of funds collected for 911 or E911 purposes, and a description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the mechanism, or otherwise used to implement or support 911 or E911.*

Authority to Approve Expenditure:

Local governing bodies retain the authority to approve the expenditures of 911 surcharge revenue as defined in C.R.S. 29-11-104 (2) (a) – (c).

Oversight Procedures:

- a. C.R.S. 29-11-104 (5) – states that, “Each governing body shall include as a part of the audit required by part 6 of article 1 of this title an audit on the use of the funds collected from the charges imposed pursuant to this article for compliance with paragraph (a) of subsection (2) of this section.”
  - b. All 9-1-1 Authorities are required to submit annual budgets to the Colorado Department of Local Affairs, Division of Local Government.
  - c. The budgets of all 9-1-1 governing bodies are public record and may be requested and reviewed by interested parties.
4. *A statement whether all the funds collected for 911 or E911 purposes have been made available or used for the purposes designated by the funding mechanism, or otherwise used for the implementation or support of 911 or E911.*

Local governing bodies retain the authority to approve the expenditures of 911 surcharge revenue as defined in C.R.S. 29-11-104 (2) (a) – (c). The Governor’s office is not aware of

## Colorado 9-1-1 Resource Center

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any funds that are being used for other than the purposes set forth within, and that have been used or set aside for other than the purposes set forth within.

5. *A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes otherwise unrelated to 911 or E911 implementation or support, including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.*

See response to #4 above.

6. *Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.*
  - a. The cost of providing emergency telephone service is not perfectly scalable in that a per-line charge provides better funding for PSAPs in highly populated areas where the surcharge is assessed against a greater concentration of telephone lines. PSAPs in these areas receive a larger remittance from surcharges and also benefit from economies of scale in terms of equipment, facilities, personnel and training. PSAPs serving lower density areas tend to have higher surcharges to pay for the same basic services.
  - b. In certain situations, surcharge revenues have decreased due to individuals “cutting the cord” on their wireline connection and only using a wireless connection. This, coupled with the increased load of wireless calls by wireless users whose surcharge is tied to another jurisdiction, causes emergency expenses to remain or increase while revenues decrease.
  - c. While some prepaid cell phone service providers are remitting 9-1-1 surcharges, others are not. To clarify the applicability of current statute and to provide a dedicated mechanism for remittance of prepaid 9-1-1 surcharges, legislation is currently being considered by the Colorado General Assembly that would establish a point-of-sale collection point for 9-1-1 surcharges from the purchase of prepaid cell phone minutes. It is anticipated that the number of pre-paid wireless use of 911 will increase over the coming years causing further erosion of surcharge revenue without an associated reduction in 911 call load unless the current situation is rectified.
  - d. While VoIP providers are currently required by statute in Colorado to impose a surcharge and remit collected surcharge revenue to the local governing authority, it is difficult if not impossible to know which VoIP providers are currently providing service in Colorado. This make it very difficult to know to what degree VoIP service providers are complying with state statute and remitting surcharge funds.